

STATE OF NEW YORK
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October 13, 2022

The Honorable Robert E. Littlefield, Jr.
United States Bankruptcy Court
James T. Foley U.S. Courthouse
445 Broadway, Suite 330
Albany, New York 12207

Re: In re Good Samaritan Lutheran Church Health Care Center, Inc.
Case No. 19-12215
In re Kenwood Manor, Inc.
Case No. 19-12216

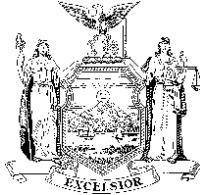
Dear Judge Littlefield:

At the Court's most recent hearing, the New York State Department of Health advised its review remained on a schedule to allow the Residential Health Care Facility application to be included on the Public Health and Health Planning Council (PHHPC) Agenda for the November/December, 2022 cycle and for the Adult Care Facility application to be considered for proposed administrative approval during the same timeframe.

Department of Health counsel Marthe Ngwashi and I advised the Court that applicants would be made aware of any issues that may impact timely completion of review or the placing of the Residential Health Care Facility application on the PHHPC Agenda.

At the time of the hearing, review by the NYS Long Term Care Ombudsman ("LTCO") remained outstanding for the Residential Health Care Facility application. The review is customarily completed at the time the PHHPC Agenda is finalized.

On November 7, 2022, Attorney Ngwashi determined that the application for the Residential Health Care Facility would be removed from the Public Health and Health Planning Council (PHHPC) Agenda for the November/December, 2022 cycle based upon issues identified by the LTCO. These issues involve levels of care at the Residential Health Care Facility and an affiliated facility that must be addressed before the LTCO can craft appropriate contingencies or conditions that may accompany its required recommendation. These patient care issues have been an ongoing subject of review since before the submission of applications and known to administrators as needing correction.



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Counsel for Delmar SNF Operations Associates, LLC was made aware of the application removal on November 7, 2022. Counsel was advised to communicate with administrators at both facilities and the LTCO to discuss quality of care issues and potential contingencies and/or conditions.

Counsel for the LTCO is currently reaching out to Counsel for Delmar SNF Operations Associates, LLC to commence needed conversation.

As for the Adult Care Facility, NYSDOH has approved the change of ownership application. NYSDOH understands that the overall ability of the Residential Health Care Facility and the Adult Care Facility to continue operations has not otherwise been affected in any way to compromise the care of its residents.

Parties are hopeful that continued discussions will result in contingencies and/or conditions acceptable to the LTCO that allow placement of the application on the Public Health and Health Planning Council (PHHPC) Agenda for the January/February 2023 cycle.

The undersigned will continue to provide updates to the Court of ongoing discussions among the parties as more information becomes available.

Respectfully,

s/ Martin A. Mooney

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